

110TH CONGRESS  
2D SESSION

# H. R. 4056

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## AN ACT

To establish an awards mechanism to honor Federal law  
enforcement officers injured in the line of duty.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Federal Law Enforce-  
3 ment Officers Congressional Badge of Bravery Act of  
4 2008”.

5 **SEC. 2. FINDINGS.**

6       Congress finds as follows:

7           (1) According to the Department of Justice, in  
8 the past 7 years, an average of 150 Federal law en-  
9 forcement officers per year sustained physical inju-  
10 ries while dealing with an assaultive subject.

11           (2) More than 70 Federal agencies employ Fed-  
12 eral law enforcement officers but only 2 such agen-  
13 cies have an awards mechanism to recognize Federal  
14 law enforcement officers who are injured in the line  
15 of duty.

16           (3) In contrast to the lack of an awards mecha-  
17 nism for Federal law enforcement officers, the Presi-  
18 dent awards the Purple Heart for military personnel  
19 wounded or killed during armed service, and most  
20 State and local police departments have commenda-  
21 tions and medals for officers who are injured in the  
22 line of duty.

23           (4) Formal congressional recognition does not  
24 exist to honor Federal law enforcement officers who  
25 are injured in the line of duty.

1           (5) It is appropriate for Congress to recognize  
2           and honor the brave men and women in Federal law  
3           enforcement who are injured while putting them-  
4           selves at personal risk in the line of duty.

5 **SEC. 3. AUTHORIZATION OF A BADGE.**

6           The Attorney General may award, and a Member of  
7 Congress or the Attorney General may present, in the  
8 name of Congress a Congressional Badge of Bravery (in  
9 this Act referred to as the “Badge”) to a Federal law en-  
10 forcement officer who is cited by the Attorney General,  
11 upon the recommendation of the Congressional Badge of  
12 Bravery Board, for sustaining a physical injury on or after  
13 January 1, 2007, while in the line of duty.

14 **SEC. 4. NOMINATIONS.**

15           (a) IN GENERAL.—An agency head may nominate for  
16 a Badge an individual who meets the following criteria:

17           (1) The individual is a Federal law enforcement  
18 officer working within the agency of the agency head  
19 making the nomination.

20           (2) The individual sustained a physical injury  
21 while in the line of duty.

22           (3) The individual faced personal risk when the  
23 injury described in paragraph (2) occurred.

1           (4) The injury described in paragraph (2) oc-  
2           curred during some form of conduct characterized as  
3           bravery by the agency head making the nomination.

4           (b) CONTENTS.—A nomination under subsection (a)  
5           shall include—

6           (1) a written narrative, of not more than 2  
7           pages, describing the circumstances under which the  
8           nominee sustained a physical injury described in  
9           subsection (a) and how the circumstances meet the  
10          criteria described in such subsection;

11          (2) the full name of the nominee;

12          (3) the home mailing address of the nominee;

13          (4) the agency in which the nominee served on  
14          the date when such nominee sustained a physical in-  
15          jury described in subsection (a);

16          (5) the occupational title and grade or rank of  
17          the nominee;

18          (6) the field office address of the nominee on  
19          the date when such nominee sustained a physical in-  
20          jury described in subsection (a); and

21          (7) the number of years of service in the Fed-  
22          eral government by the nominee as of the date when  
23          such nominee sustained a physical injury described  
24          in subsection (a).

25          (c) SUBMISSION DEADLINE.—

1           (1) INJURIES SUSTAINED BEFORE AUGUST  
2       15.—In the case of an individual who sustained a  
3       physical injury described in subsection (a) on or  
4       after January 1 of a year and before August 15 of  
5       such year, to nominate such individual under such  
6       subsection for a Badge, an agency head shall submit  
7       such nomination to the Congressional Badge of  
8       Bravery Board by February 15 of the following year.

9           (2) INJURIES SUSTAINED ON OR AFTER AUGUST  
10      15.—In the case of an individual who sustained a  
11      physical injury described in subsection (a) on or  
12      after August 15 of a year, to nominate such indi-  
13      vidual under such subsection for a Badge, an agency  
14      head shall submit such nomination to the Congres-  
15      sional Badge of Bravery Board by February 15 of  
16      the second year following the date on which the indi-  
17      vidual sustained such physical injury.

18 **SEC. 5. CONGRESSIONAL BADGE OF BRAVERY BOARD.**

19      (a) ESTABLISHMENT.—There is established within  
20      the Department of Justice a Congressional Badge of Brav-  
21      ery Board (in this Act referred to as the “Board”).

22      (b) DUTIES.—The duties of the Board are the fol-  
23      lowing:

24           (1) Design the Badge with appropriate ribbons  
25           and appurtenances.

1           (2) Select an engraver to produce each Badge.

2           (3) Not later than July 15 of each year, from  
3 among the nominations timely submitted to the Con-  
4 gressional Badge of Bravery Board by February  
5 15th of such year, endorse as recipients of the  
6 Badge such nominations who meet the criteria de-  
7 scribed in section 4(a) and submit to the Attorney  
8 General a list of such nominations so endorsed.

9           (4) After submission to the Attorney General of  
10 the list described in paragraph (3)—

11                 (A) procure the Badges from the engraver  
12 selected under paragraph (2);

13                 (B) send a letter announcing the award of  
14 each Badge to the agency head who nominated  
15 the endorsed recipient of such Badge;

16                 (C) send a letter to each Member of Con-  
17 gress representing the congressional district  
18 where the endorsed recipient of each Badge re-  
19 sides to offer such Member an opportunity to  
20 present such Badge;

21                 (D) provide for the presentation of each  
22 Badge in accordance with section 7; and

23                 (E) provide for the posting of the name of  
24 each endorsed recipient of the Badge on the  
25 public Internet site of the Department of Jus-

1           tice in a manner that acknowledges the Federal  
2           service and bravery of each such recipient.

3           (5) Set an annual timetable for fulfilling the  
4           duties described in this subsection.

5           (c) MEMBERSHIP.—

6           (1) NUMBER AND APPOINTMENT.—The Board  
7           shall be composed of 7 members (in this Act re-  
8           ferred to as the “Board members”) appointed as fol-  
9           lows:

10                   (A) One member jointly appointed by the  
11                   majority leader and minority leader of the Sen-  
12                   ate.

13                   (B) One member jointly appointed by the  
14                   Speaker and minority leader of the House of  
15                   Representatives.

16                   (C) One member from the Department of  
17                   Justice appointed by the Attorney General.

18                   (D) Four members of the Federal Law  
19                   Enforcement Officers Association appointed by  
20                   the Executive Board of the Federal Law En-  
21                   forcement Officers Association.

22           (2) LIMITATIONS.—

23                   (A) APPLICABLE TO MEMBERS OF THE  
24                   FEDERAL LAW ENFORCEMENT OFFICERS ASSO-  
25                   CIATION.—No more than 5 Board members

1           may be members of the Federal Law Enforce-  
2           ment Officers Association.

3           (B) APPLICABLE TO NOMINATING OFFI-  
4           CIALS.—In the case of a Board member who is  
5           an agency head, if such member nominates an  
6           individual under section 4(a), such member may  
7           not participate in any evaluation or rec-  
8           ommendation process of the Board with respect  
9           to such individual.

10          (3) QUALIFICATIONS.—Board members shall be  
11          individuals with knowledge or expertise, whether by  
12          experience or training, in the field of Federal law en-  
13          forcement.

14          (4) TERMS AND VACANCIES.—Each Board  
15          member shall be appointed for 2 years and may be  
16          reappointed. A vacancy in the Board shall not affect  
17          the powers of the Board and shall be filled in the  
18          same manner as the original appointment.

19          (d) OPERATIONS.—

20          (1) CHAIRPERSON.—The Chairperson of the  
21          Board shall be a Board member elected by a major-  
22          ity of the Board.

23          (2) MEETINGS.—The Board shall conduct its  
24          first meeting not later than 90 days after the ap-  
25          pointment of a majority of Board members. There-



1 after, the Board shall meet at the call of the Chair-  
2 person, or in the case of a vacancy of the position  
3 of Chairperson, at the call of the Attorney General.

4 (3) VOTING AND RULES.—A majority of Board  
5 members shall constitute a quorum to conduct busi-  
6 ness, but the Board may establish a lesser quorum  
7 for conducting hearings scheduled by the Board. The  
8 Board may establish by majority vote any other  
9 rules for the conduct of the business of the Board,  
10 if such rules are not inconsistent with this Act or  
11 other applicable law.

12 (4) STAFF.—The Board may appoint and fix  
13 the pay of additional qualified personnel as the  
14 Board considers appropriate to assist it in carrying  
15 out its duties under subsection (b).

16 (e) POWERS.—

17 (1) HEARINGS.—

18 (A) IN GENERAL.—The Board may hold  
19 hearings, sit and act at times and places, take  
20 testimony, and receive evidence as the Board  
21 considers appropriate to carry out the duties of  
22 the Board under this Act. The Board may ad-  
23 minister oaths or affirmations to witnesses ap-  
24 pearing before it.

1 (B) WITNESS EXPENSES.—Witnesses re-  
2 quested to appear before the Board may be  
3 paid the same fees as are paid to witnesses  
4 under section 1821 of title 28, United States  
5 Code. The per diem and mileage allowances for  
6 witnesses shall be paid from funds appropriated  
7 to the Board.

8 (2) INFORMATION FROM FEDERAL AGENCIES.—  
9 Subject to sections 552, 552a, and 552b of title 5,  
10 United States Code—

11 (A) the Board may secure directly from  
12 any Federal department or agency information  
13 necessary to enable it to carry out this Act; and

14 (B) upon request of the Board, the head of  
15 that department or agency shall furnish the in-  
16 formation to the Board.

17 (3) INFORMATION TO BE KEPT CONFIDEN-  
18 TIAL.—The Board shall not disclose any information  
19 which may compromise an ongoing law enforcement  
20 investigation or is otherwise required by law to be  
21 kept confidential.

22 (f) COMPENSATION.—

23 (1) IN GENERAL.—Except as provided in para-  
24 graph (2), Board members shall serve without pay.

1           (2) TRAVEL EXPENSES.—Each Board member  
2       shall receive travel expenses, including per diem in  
3       lieu of subsistence, in accordance with applicable  
4       provisions under subchapter I of chapter 57 of title  
5       5, United States Code.

6 **SEC. 6. PRESENTATION OF BADGES.**

7       (a) PRESENTATION BY MEMBER OF CONGRESS.—A  
8       Member of Congress may present a Badge to any Badge  
9       recipient who resides in such Member’s congressional dis-  
10      trict. If both a Senator and Representative choose to  
11      present a Badge, such Senator and Representative shall  
12      make a joint presentation.

13      (b) PRESENTATION BY ATTORNEY GENERAL.—If no  
14      Member of Congress chooses to present the Badge as de-  
15      scribed in subsection (a), the Attorney General, or a des-  
16      ignee of the Attorney General, shall present such Badge.

17      (c) PRESENTATION ARRANGEMENTS.—The office of  
18      the Member of Congress presenting each Badge may make  
19      arrangements for the presentation of such Badge, and if  
20      a Senator and Representative choose to participate jointly  
21      as described in subsection (a), the Senator and Represent-  
22      ative shall make joint arrangements. The Board shall fa-  
23      cilitate any such presentation arrangements as requested  
24      by the congressional office presenting the Badge and shall

1 make arrangements in cases not undertaken by Members  
2 of Congress.

3 (d) LIMITATION.—A Badge may not be awarded  
4 under this section during the 60-day period before the  
5 date of a Congressional election.

6 **SEC. 7. DEFINITIONS.**

7 For purposes of this Act:

8 (a) FEDERAL LAW ENFORCEMENT OFFICER.—The  
9 term “Federal law enforcement officer” means a Federal  
10 employee—

11 (1) who has statutory authority to make ar-  
12 rests;

13 (2) who is authorized by his or her agency to  
14 carry firearms; and

15 (3) whose duties are primarily—

16 (A) the investigation, apprehension, or de-  
17 tention of individuals suspected or convicted of  
18 a Federal criminal offense; or

19 (B) the protection of Federal officials  
20 against threats to personal safety.

21 (b) AGENCY HEAD.—The term “agency head” means  
22 the head of any executive, legislative, or judicial branch  
23 government entity that employs Federal law enforcement  
24 officers.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated to the Attor-  
3   ney General such sums as may be necessary to carry out  
4   this Act.

Passed the House of Representatives April 15, 2008.

Attest:

*Clerk.*

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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